

Approved: August 19, 2015
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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
July 15, 2015

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, July 15, 2015 at 7:06 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffolliott, Commissioners David Standley, Brian O'Neill, Catherine Carney-Feldman, William McDavitt, Michele Hunton and Associate Commissioner Raymond Putnam. Also present was Agent Alicia Geilen and Recording Secretary Cathy Miaskiewicz.

DEFINITION INDEX:

BVW - Bordering Vegetative Wetland

COC – Certificate of Compliance

CR – Conservation Restriction

DEP - Department of Environmental Protection

EO – Enforcement Order

ICC – Ipswich Conservation Commission

NOI – Notice of Intent

NDZ – No-Disturbance Zone

O & M Plan – Operations and Maintenance Plan: An O&M plan is an indication that a facility is in continued compliance with applicable regulations and permit conditions

OOC – Order of Conditions

ORAD – Order of Resource Area Delineation

RDA – Request for Determination of Applicability (*below is a list of possible outcomes for RDAs*)

Negative #2 Determination– This is an approval for work in in resource areas

Negative #3 Determination– This is an approval for work in in buffer zones

Negative #5 Determination – This is approval for work that meets the requirements of an exception under the WPA

Negative #6 Determination– This is an approval for work under the Ipswich Wetland Protection Bylaw

Positive Determination – This is a denial requiring an NOI to be filed should the applicant wish to pursue

RPA - Riverfront Protection Act36

WPA – Massachusetts Wetlands Protection Act (310 CMR 10.00 *et seq.*)

Citizen's Queries:

None

Ongoing Matters Being Continued to FUTURE Sessions:

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MATTER: 36-424: 17 Bayview Road, Hughes Trust request for Certificate of Compliance.
DISCUSSION: There was no one present for this matter. Agent Geilen stated that the applicant had requested continuance.
RECOMMENDATION OF AGENT: <i>To continue to August 5, 2015.</i>
MOTION: <p style="text-align: center;">♦ A motion was made by Commissioner Carney-Feldman to continue to August 5, 2015. The motion was seconded by Commissioner McDavitt and passed with a majority vote of 6. Chairman Hughes was recused.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Continuation request</i>

MATTER: 36-81: Site Management Plan: Miles River Sand and Gravel; 64 Paradise Road, to discuss Best Management Practices.
DISCUSSION: There was no one present for this matter. Agent Geilen stated that the applicant had requested continuance.
RECOMMENDATION OF AGENT:
MOTION: <p style="text-align: center;">♦ A motion was made by Vice-Chair ffolliott to continue to August 5, 2015. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Continuation request</i>

MATTER: 36-1253: Riverine, LLC for work at 27 Water Street shown on Tax Map: 31D Lot: 91A for a NOTICE OF INTENT to reconstruct multi-family home, gangway/ramp and floats and construction of public access deck in jurisdictional areas.
DISCUSSION: There was no one present for this matter. Agent Geilen stated that the applicant had requested continuance.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: <p style="text-align: center;">♦ A motion was made by Vice-Chair ffolliott to continue to August 5, 2015. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Continuation request</i>

Ongoing Matters for THIS Sessions:

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MATTER: 36-1262: 439 Linebrook Road Realty Trust for work at 439 Linebrook Road shown on Tax Map: 37C Lot: 027 for a NOTICE OF INTENT to construct a stormwater infiltration system with associated grading and grading for proposed septic system in jurisdictional areas.
DISCUSSION: Present was Larry Graham with H.L. Graham Associates. Mr. Graham gave a review of the matter and discussed the most recent plan changes. [Discussion: grass swale/rain garden changed to Exfiltrating Bioretention Basin] Commissioner Standley asked about the driveway being paved or gravel. Mr. Graham stated it would be gravel. [Discussion of overflow/drainage/contours/grading/Winter Rye Grass Mix.] The Commission suggested using some native grass seed mix.
RECOMMENDATION OF AGENT: <i>To close the public hearing and issue a Positive OOC with standard Special Conditions.</i>
MOTION: <ul style="list-style-type: none"> ♦ A motion was made by Commissioner Standley to close the public hearing and issue a Positive OOC with standard Special Conditions as drafted by the agent and listed below. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>Species within the Bioretention Basin to be native grass mix.</i>
DOCUMENT LIST: <i>Revised plan entitled, "Subsurface Sewage Disposal System Plan" revised date 7/8/15 and prepared by Graham Associates, Inc.</i>

MATTER: 36-1260: Carl E. Gardner, Jr. for work at 4 Emery Lane shown on Tax Map: 30C Lot: 79 for a NOTICE OF INTENT to construct a new single family home with attached garage, driveway, deck, related grading and landscaping in jurisdictional areas.
DISCUSSION: Present was Carl Gardner, owner. Mr. Gardner stated that the plan needed to be revised to move the rain garden to the other side of the driveway. [Discussion: driveway, runoff, soil type, grass filter strip] Commissioner Hughes asked about the fence. Mr. Gardner stated he would add it to the plan. [Discussion: Mitigation plan; square footage/invasive plant area not shown on the plan. Native plant species and sizes.] Chairman Hughes recommended a mitigation "bubble" be added to the plan, to give the Commission a better idea of where the invasives will be removed and native plants are being planted, so that the required square footage is achieved. Chairman Hughes also recommended monitoring.
RECOMMENDATION OF AGENT: <i>To continue to August 5, 2015 for receipt of revised plans.</i>
MOTION: <ul style="list-style-type: none"> ♦ A motion was made by Commissioner Carney-Feldman to approve the waivers as requested. The motion was seconded by Commissioner McDavitt and passed unanimously. ♦ A motion was made by Commissioner Standley to continue to August 5, 2015. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>Agent to prepare draft OOC and SpecConds for review by the Commission.</i> ❖ <i>Applicant to submit revised plans showing fence, mitigation area, and note size and spacing of native plants (3-4' tall, placed 8' on center).</i>
DOCUMENT LIST: <i>Packet prepared by Seekamp Environmental Inc. including: Wetland Data Transect Isolated Wetland Analysis and Buffer Zone Mitigation Plan, Photos and Wetland and Soils Data Sheets, Plan entitled, "Site Plan" dated 6/16/15 prepared by County Land and Survey, Inc. and Christiansen and Sergi Inc. dated 6/16/15</i>

New Public Hearings: Requests for Determination of Applicability:

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MATTER: Raymond Lennon for work at 35 Greens Point Road shown on Tax Map 22, Lot 5 for a REQUEST FOR DETERMINATION OF APPLICABILITY to construct a lean-to addition on an existing carriage house/barn in jurisdictional areas.
DISCUSSION: Present was Ray Lennon. Mr. Lennon gave a review of the matter. The barn would be 69 feet from the wetlands, as estimated by Bill Decie. Mr. Lennon has asked for a waiver of a formal delineation. [Discussion of being in buffer zone to ACEC.] Agent Geilen discussed old OOCs and a file that was missing and stated everything else was in order. Agent Geilen to research missing file.
RECOMMENDATION OF AGENT: <i>To grant a waiver of the formal delineation requirement and issue a Negative Determination #5 and #6.</i>
MOTION: <ul style="list-style-type: none"> ♦ A motion was made by Vice-Chair ffolliott to approve the waiver request for formal delineation. The motion was seconded by Commissioner O'Neill and passed unanimously. ♦ A motion was made by Commissioner Standley to issue a Negative Determination #5 and #6. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>Agent to research missing file.</i>
DOCUMENT LIST: <i>Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Marked-up Plan entitled "Plan of Land" marked-up 6/15/15 by Raymond Lennon, waiver request</i>

Other Business:

Steep Hill Beach Archaeological Excavation - Victor Mastones, MA Board of Underwater Archaeological Resources.

Discussion:

Victor T. Mastone was present. He stated they were remiss in not notifying the Commission in advance, and personally apologized. He showed a PowerPoint presentation of the shipwreck from the Schooner Ada K. Damon (1875-1909). Mr. Mastone gave the history of the schooner and stated they would be using this site for teaching purposes for the students from Salem State University. Agent Geilen stated that she did a site visit and saw how they were excavating, with all work done by hand. All sand would be replaced after excavating. [Discussion: whether permitting was required. No hard tools on beach, no machinery or in dunes. Notification needed.]

Requests for Certificates of Compliance:

MATTER: 36-464: 9 Abbott Lane, Brown for new single family house and grading
DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter. She stated that per site inspection by Field Inspector Decie, the project was constructed as permitted.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ♦ A motion was made by Commissioner Standley to issue a full and final COC. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>

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DOCUMENT LIST:

COC request, As-built plan entitled, "Plot Plan" dated 2/25/97 prepared by Hancock Associates, Inc. and letter of substantial compliance dated 7/7/97 and prepared by Hancock Associates, Inc.

MATTER: 36-1245: 199 County Road, Barbato for septic system repair.

DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter. She stated that all work was done according to the OOC, but the area was not completely stabilized.

RECOMMENDATION OF AGENT:

To continue to August 5, 2015 for additional vegetation growth.

MOTION:

♦ **A motion was made by Vice-Chair ffolliott to continue to August 5, 2015. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

COC request, As-built plan entitled "Plan" dated 7/8/15 prepared by Graham Associates, Inc. and letter of substantial compliance dated 7/8/15 and prepared by Graham Associates, Inc.

Discussion Items:

Backlog Work: Update and Action Items:

1. **18 North Ridge Road**, COC request from 2004. Agent Geilen reviewed a memorandum that she wrote after researching the site (File #'s 36-207; 36-209; 36-839; 36-949; and 36-974.) The Commission agreed with the strategies listed by the Agent. Agent Geilen will send a letter out to make sure they get closed out.
2. **36-1213: 20 Lowes Lane**, Wegzyn. OOC Signed but not issued in 2013. Issued in January 2014, but not recorded. Agent Geilen stated that the applicant would like more time. The Commission agreed to give him until August 5, 2015 and then vote to void.

Interim Reports of Special Project Subcommittees:

None

Document Signage: (No Vote Required)

36-1259: 357 Linebrook Road, approved on 7/1/15

36-484: 4 Nuthatch Road, EO voted 7/1/15

36-725: 105 Town Farm Road, EO voted 7/1/15

Approval of Minutes: None

♦ N/A

Adjournment:

♦ **A motion was made by Commissioner Standley to adjourn at 8:26 p.m. The motion was seconded by Commissioner O'Neill and passed unanimously.**

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Respectfully submitted,

A handwritten signature in black ink, reading "Cathy Miaskiewicz". The script is cursive and fluid, with the first name "Cathy" and last name "Miaskiewicz" clearly legible.

Cathy Miaskiewicz
Recording Secretary

These minutes are the summary of a taped meeting and of secretarial notes. As such, the Ipswich Conservation Commission reserves the right to supplement these minutes with tapes and vice versa, to reflect the proceedings. The Ipswich Conservation Commission does not guarantee the quality of the tapes, nor does it exclusively rely upon them.